

1. (once amended) A system for delivering a chemical agent-containing formulation in the form of a spray or stable foam, the system comprising an aerosol dispenser containing a stable formulation comprising the chemical agent in the form of a solution or stable suspension and [an aqueous solution of] an anionic surface active agent as a delivery agent.

Remarks

Claim 1 has been amended, and claims 1-20 are presently pending and in condition for allowance. As a preliminary matter the Examiner is requested to confirm his review of certain references previously provided by initialing each of the "Other Documents" listed on the second page (copy enclosed) of Applicant's previous Form PTO-1449 filed May 17, 1999.

The rejections under Section 102(b) and 103 are respectfully traversed. Jass et al. describe a valve-actuated aerosol package for *separately storing* and simultaneously dispensing a plurality of flowable materials. In other words, the reference fails entirely to suggest, let alone teach, a system for preparing, storing and delivering a *single stable* formulation that contains *both* a chemical agent (e.g., hydrogen peroxide or sea water) and a delivery agent (e.g., surfactant) in the form of a spray or stable foam, particularly in the manner described and claimed in the present application.

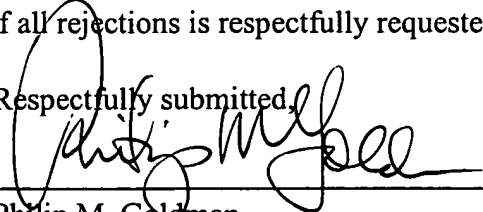
While Jass et al. and others recognize the problems inherent in delivering chemical agents such as hydrogen peroxide, the reference follows the conventional wisdom that addresses those problems by asserting the need to keep such components "separated from each other" until the time of use (see, e.g., col. 1, lines 30-43 and col. 6, lines 17-25). Moreover, to the extent Jass et al. addresses foams at all, it is in the context of attempting to *prevent* their formulation from foaming (see, e.g., col. 5, lines 28-32).

Applicants have editorially amended claim 1, in the manner already provided in claim 11, to emphasize the fact that both the chemical agent and delivery agent are formulated, stored, and delivered as a *single, yet stable, formulation*.

In view of the above remarks, it is submitted that the claims are in condition for allowance. Reconsideration and withdrawal of all rejections is respectfully requested.

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Respectfully submitted,


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